

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

James L. Roudabush, Jr., :
Plaintiff, : CIV. ACTION NO. 15-3185(RMB)
v. :
: ORDER
Lt. Bitener et al., :
: Defendants. :

By Order dated September 21, 2018, this Court denied Plaintiff's letter request to rule on his pending motions in this matter. (Order, ECF No. 153.) The Court explained that on April 21, 2016, this Court revoked Plaintiff's IFP status pursuant to the three strikes provision of the Prison Litigation Reform Act, 28 U.S.C. § 1915(g), and directed Plaintiff to pay the filing fee to proceed in this matter. (Order, ECF No. 113.) Plaintiff appealed, and the Third Circuit Court of Appeals reversed and remanded. (Mandate, ECF No. 136.) Plaintiff then filed a motion for recusal, which this Court denied. (Mot. for Recusal, ECF No. 138; Order, ECF No. 142.)

Plaintiff filed subsequent motions (Mot. to Appoint Counsel, ECF No. 139; Mot. to Consolidate, ECF No. 140; Mot. to Implement Mandate, ECF No. 144; Mot. for Default, ECF No. 147; Mot. to Change Name, ECF No. 148; Mot. to Change Spelling; ECF No. 149; Mot. for

Default, ECF No. 150; Mot. for Prelim. Inj., ECF No. 151) but before the Court could address the motions, Plaintiff appealed this Court's Order denying Plaintiff's motion for recusal. (Notice of Appeal, ECF No. 145.)

The Court determined that its order denying Plaintiff's motion for recusal was an appealable order that divests the Court of jurisdiction pending appeal. (Order, ECF No. 153.) Thus, the Court denied Plaintiff's request to rule on his pending motions. (*Id.*) The Third Circuit has not yet ruled on Plaintiff's appeal. Therefore, the Court will administratively terminate Plaintiff's pending motions subject to reopening upon the Third Circuit's ruling on Plaintiff's appeal.

IT IS therefore on this 5th day of November 2018,

ORDERED that the Clerk of the Court shall administratively terminate the following motions, subject to reopening upon the Third Circuit's ruling on the pending appeal (USCA Case No. 18-2443, ECF No. 146); Plaintiff's motion to consolidate (ECF No. 140); motion to implement the mandate (ECF No. 144); motion for default judgment (ECF No. 147); motion to change the name of defendant (ECF No. 148); motion to change the spelling of a defendant's name (ECF No. 149); motion for default judgment (ECF No. 150); and motion for preliminary injunction (ECF No. 151); and it is further

ORDERED that the Clerk shall mail a copy of this Order to Plaintiff by regular U.S. mail.

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE